

DD/S 70-2275

3 JUN 1970

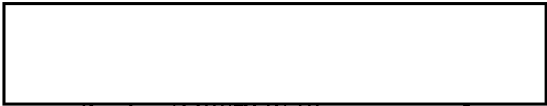
MEMORANDUM FOR: Legislative Counsel

SUBJECT : Agency Position on S. 782

Jack:

Per our conversation I suggest that paragraph two regarding the exemption feature be rewritten as follows:

"-- a complete exemption for CIA and NSA as is granted to the FBI in the present draft of the Bill. If circumstances permit we could suggest to Congressman Henderson or his staff that consideration be given to extending the exemption privilege to any other Agency or entity having intelligence, investigative, or security functions if the head of the Agency determines that the act cannot be applied in a manner consistent with national security requirements and considerations."

  
R. L. Dannerman  
Deputy Director  
for Support

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Att: Memo dtd 27 May 70 for DD/S  
and GC fr John M. Maury,  
same subject

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27 MAY 1970

MEMORANDUM FOR: Deputy Director for Support  
General Counsel

SUBJECT : Agency Position on S. 782

1. In a letter to the Director dated 22 May 1970, Representative David Henderson (D., N.C.) requested the Agency's comments on S. 782 which was referred to his Manpower and Civil Service Subcommittee following Senate approval. It is understood similar requests were sent to NSA and the Civil Service Commission. Technically, the Bureau of the Budget must clear comments before they are submitted to Representative Henderson.

2. However, in anticipation of meeting with the Representative on this subject at an early date, I would like to be prepared to give him the Agency's position on an informal basis as follows:

-- A complete exemption for CIA, NSA, or any other agency or entity having intelligence, investigative, or security functions if the head of the agency determines that the act cannot be applied in a manner consistent with national security requirements and considerations.

-- If Henderson presses to determine if we can live with a partial exemption, then I propose to suggest the changes underscored on pages 18, 19 and 20 of the attached bill. These changes, I believe, reflect those Agency revisions of Senator Ervin's rough draft proposed amendments which were not incorporated in S. 782 as reported out of Committee and approved by the Senate.

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3. Your concurrence is requested if the above represents  
your current position.

JOHN M. MAURY  
Legislative Counsel

Att

CONCURRENCE:

\_\_\_\_\_  
Robert L. Bannerman  
Deputy Director  
for Support

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lawrence R. Houston  
General Counsel

\_\_\_\_\_  
Date

Distribution:

Orig - return to OLC

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OLC/LLM:smg (26 May 70)

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TRANSMITTAL SLIP		DATE
TO: Legislative Counsel		
ROOM NO. 7-D-43	BUILDING Headquarters	
REMARKS:  <i>LLM - pls follow up if you rec. our objection to the 10/10/5 suggestion</i>		
FROM: O-DD/S		
ROOM NO. 7-D-26	BUILDING Headquarters	EXTENSION <div></div>

FORM NO. 241  
1 FEB 55REPLACES FORM 36-8  
WHICH MAY BE USED.

(47)

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